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BRETT RATNER

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF HAWAI‘I

BRETT RATNER,	)	CIVIL NO. <u>17-00542</u>
	)	
Plaintiff,	)	
	)	COMPLAINT FOR DAMAGES;
	)	DEMAND FOR JURY TRIAL
vs.	)	
	)	
MELANIE KOHLER, and JOHN	)	
and/or JANE DOES 1-10,	)	
	)	
Defendants.	)	
_____	)	

**COMPLAINT FOR DAMAGES**

Plaintiff BRETT RATNER, by and through his undersigned attorneys, alleges as follows:

**INTRODUCTION**

(1) This is an action for defamation arising from the Defendant’s deliberately false and malicious accusations that Plaintiff raped the Defendant “about 12 years ago.”

### **JURISDICTION AND VENUE**

(2) Jurisdiction is proper in this case pursuant to 28 U.S.C. § 1332, as the parties are citizens of different states and the amount in controversy exceeds seventy-five thousand dollars (\$75,000) exclusive of interest and costs.

(3) Venue is proper in the District of Hawai‘i because the events giving rise to the claims occurred in Honolulu, Hawai‘i, and the named Defendant is a resident of the State of Hawaii.

### **PARTIES**

(4) Plaintiff BRETT RATNER [hereinafter “Plaintiff”] is an accomplished and well known film director and producer who resides in Los Angeles and is and has been a citizen of the State of California at all times relevant hereto.

(5) Plaintiff is informed and believes and thereupon alleges that Defendant MELANIE KOHLER [hereinafter “Defendant”] is and has been a resident and citizen of the State of Hawai‘i at all times relevant hereto.

(6) Defendants JOHN and/or JANE DOES 1-10 are associates, co-actors, partners, officers, employees, agents, and/or representatives of the named Defendant whose true names and capacities are as yet unknown to Plaintiff and his attorneys despite due diligence and inquiry and who acted herein with or on behalf of the named Defendant as set forth below. The true names and capacities of the Doe Defendants will be substituted as they become known.

### **FACTUAL ALLEGATIONS**

(7) Commencing on or about October 20, 2017, Defendant recklessly and/or intentionally posted a statement on her Facebook page claiming that “Brett Ratner raped [her];”

Ratner “was a rapist on at least one night in Hollywood about 12 years ago;” and Ratner “preyed on me as a drunk girl [and] forced himself upon me.”

(8) Plaintiff contends that the Defendant’s aforementioned statement is entirely false, fabricated, and fictional.

(9) Plaintiff contends that the Defendant’s aforementioned statement was published by the Defendant with knowledge of its falsity, maliciously, and with the intent to harm Plaintiff’s reputation and standing.

(10) Plaintiff is informed and believes, and thereupon alleges that the aforementioned statement constitutes libel per se.

(11) The Defendant did not have permission and was in no way privileged to publish her statement about Plaintiff in which she describes him as “a rapist.”

(12) As a direct and proximate result of the Defendant’s defamatory statement Plaintiff has suffered injuries to his personal and professional reputations in amounts to be proven at trial.

(13) As a direct and proximate result of the foregoing Plaintiff has suffered emotional distress, worry, anger, and anxiety in amounts to be proven at trial.

**WHEREFORE** Plaintiff prays for relief as follows:

- (1) Special and general damages according to the proof thereof at trial;
- (2) Punitive damages;
- (3) For reimbursement of Plaintiff’s costs and expenses herein, including reimbursement of reasonable attorney’s fees; and
- (4) For such further and additional relief as the court deems appropriate and just.

DATED: Honolulu, Hawai‘i, November 1, 2017.

/s/ Eric A. Seitz

ERIC A. SEITZ

DELLA A. BELATTI

Attorneys for Plaintiff